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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 10/587,293 | 07/25/2006 | Bernd Klaus Faist | W1.2256 PCT-US | 5386 |

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| EXAMINER |
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BANH, DAVID H

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| ART UNIT | PAPER NUMBER |
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2854

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08/18/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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|------------------------------|------------------------|---------------------|--|
| Office Action Summary | Application No. | Applicant(s) | |
| | 10/587,293 | FAIST, BERND KLAUS | |
| | Examiner | Art Unit | |
| | DAVID BANH | 2854 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 April 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 87-170 is/are pending in the application.
- 4a) Of the above claim(s) 87-165, 167 and 168 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 166, 169 and 170 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 166, 169 and 170 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 166, 169 and 170 are rejected under 35 U.S.C. 103(a) as being unpatentable over Faist '274 (WO 02/074541) equivalent to Faist (US PG Pub 2004/0050274) in view of Faist et al. '800 (WO 03/049947) equivalent to Faist et al. (US PG Pub 2005/0076800).

Faist '274 is relied upon as a reference under 35 U.S.C. 102(b), however, citation to the reference will be made through US equivalent Faist (US PG Pub 2004/0050274) for ease of access. Likewise, Faist et al. '800 is relied upon as a reference under 35 U.S.C. 102(b), and citation will be made through the translated US equivalent.

Faist '274 teaches a device for adjusting a contact pressure exerted by a roller **21** in a printing couple **21**, **22** comprising at least a first roller **21** supported in said printing couple for rotation about a roller longitudinal axis **44** and having first **23** and second (not shown, by equivalent on the opposite site) roller ends, a first roller circumference (see Fig. 2, roller **21** has a circumference which is the length of the

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surface of roller **21** tangent and perpendicular to axis **44**) and a first roller weight (being the weight of the roller **21**, any object has a mass and a weight), an adjacent roller body **22** having a rotational body circumference (see Fig. 2, again the circular body has a given circumference), being engaged by at least first roller circumference (see Fig. 2, the roller **21** and rotation body **23** touch along their edge) along a first roller strip (see Fig. 2, this being the region which extends axially along which the roller and rotation body contact), said at least first roller strip having a circumferential width in a rotation body of said at least first roller (the area of contact must have at least some width, even if it is negligible, the width being the length along the circumference that both rollers contact), a separate support bearing **41** for each of said first and second roller ends (see paragraph 36, the ends of the shaft are supported by arrangement **41**, so there is an arrangement for each end of the roller), a roller mount **24** in each bearing, said roller mount **24** capable of being shifted (see Fig. 4, the shift in the mount relative to the frame support), a plurality of actuators **34** (one seen on top, labeled by **34** the other unlabelled but equivalent), between each separate support bearing **41** and each associated roller mount **24** each of said plurality of actuators being adapted to exert radial forces on the roller mount **24** (see Fig. 4), said plurality of actuators **34** being usable to impart a contact pressure which is exerted by each end of the roller on the first roller strip during operation of the printing couple **21**, **22** (note that the forces imparted to the roller support will be reflect in equal and opposite forces on the roller due to Newton's Laws).

Faist '274 does not teach a control unit adapted to adjust and control the plurality of actuators to vary the width of the roller strip during printing. However, Faist et al. '800

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teaches a control unit (paragraph 64, control console) which control a plurality of actuators **83** and changes the contract force exerted by one roller to a second roller, thus changing the circumferential width of a roller strip between the two rollers. It would have been obvious to one of ordinary skill in the art at the time the invention was made to use a control unit to remotely actuate the actuators into changing the circumferential width of the roller strips for the purpose of preventing an operator from having to manually or directly manipulate the actuators to increase the safety of operation of the printing press.

For claim 169: The combination of Faist '274 and Faist '800 teaches the device of claim 166 with only one roller, and thus only one roller strip. Since there is only one strip, the single strip is capable of being identified by a separate designator. Further, as there is only one roller strip, the control unit, which is assumed to be functional, is capable of selecting the contact pressure of the one contact strip.

For claim 170: The combination of Faist '274 and Faist '800 teaches the device of claim 166, the device having a roller strip dictated by the contact pressure between the roller **21** and a rotation body **22**, the device being capable of controlling the contact pressure by controlling actuators **34** positioned on roller mounts **24** on either side of the roller **21**. The combination of Faist '274 and Faist '800 further teaches the actuators **21** to be individually controllable (see Faist '800 paragraph 64). Thus, the apparatus taught by the combination is capable being arranged to have a roller strip of variable width, by actuating a combination of the actuators **34** on both sides of the roller **21** to produce an imbalance of pressures on alternate sides of the mount **24**.

Conclusion

4. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DAVID BANH whose telephone number is (571)270-3851. The examiner can normally be reached on M-Th 9:30AM-8PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Nguyen can be reached on (571)272-2258. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

DHB

/Judy Nguyen/
Supervisory Patent Examiner, Art Unit 2854